

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Eric J Clayman, Esquire

Jenkins & Clayman

412 White Horse Pike
Audubon, NJ 08106

(856) 546-9696

Attorney for Debtor

In Re:

Steven Bombaro

debtor

Case No.: 17-34784

Judge: JNP

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

- CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**
 TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. Motion for Relief from the Automatic Stay filed by _____, creditor.

A hearing has been scheduled for _____

OR

- Motion to Dismiss filed by the Standing Chapter 13 Trustee, Isabel C. Balboa.

A hearing has been scheduled for January 17, 2020, at 10:00am.

- Certification of Default filed by _____, creditor

I am requesting a hearing be scheduled in this matter.

OR

- Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled in this matter.

2. I am objecting to the above for the following reasons (**choose one**):

- Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support of attached hereto.
- Payments have not been made for the following reasons and debtor proposes repayment as follows **explain your answer**): _____
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Other (**explain your answer**): In my Chapter 13 case, the Trustee has filed a motion to dismiss my case because she had sent some documents to my attorneys indicating that my Trustee payment needs to increase because the State of New Jersey filed a late claim for a little over \$10,000. I talked to my attorneys about this claim, and the majority of the priority claim was based on an estimated amount from my 2015 state tax return. I filed that return and paid them \$200 that I owed them, so I don't understand why they are now saying they didn't receive my return and I owe them money for that year. I am going to give a copy of my return to my attorneys so they can challenge the claim. Additionally, this claim might be late in being filed and there may be some other issues with it that I'm talking to my attorneys about. I started to pay the Trustee \$1,800 and my old payment was \$1,106. The Trustee, I believe, wanted my payment to increase to \$1,634 to pay this increased State of New Jersey claim. The Trustee, in her motion, says that I am in arrears \$1,788. It does not appear that this is the case, however, because she still shows on her Trustee report that the monthly payment is \$1,106 and that I have arrears of \$952, and that is without taking into account the payment that I believe I made in November. In any event, if my attorneys, my account, and I have not obtained the necessary documents prior to the hearing date on the Trustee Motion to Dismiss, I ask that it be adjourned to give us an opportunity to deal with the State's claim and either reduce it or increase my Trustee payment.

3. This Certification is being made in an effort to resolve the issues raised by the creditor in this motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 11/27/2019

/s/ Steven Bombaro
Steven Bombaro, debtor

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested